

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

**TIMOTHY MONTILEONE,
RICK A. FIRMAND,
THOMAS W. FURLONG, JR.,
KEVIN BLADOW,
and CLAYTON THYGERSON,
individually and on behalf of all others
similarly situated,**

Plaintiffs,

v.

**AAMCO TRANSMISSIONS, INC.,
AMERICAN CAPITAL, LTD.,
AMERICAN DRIVELINE SYSTEMS, INC.,
AMERICAN DRIVELINE CENTERS,
INC., MALON WILKUS, BRET BERO,
MARC GRAHAM, MIKE SUMSKY,
BRIAN O'DONNELL, and TODD LEFF,**

Defendants.

Case Number 3:13-CV-01217-JPG-SCW

STIPULATION OF DISMISSAL

Pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(ii), Plaintiffs Timothy Montileone, Rick A. Firmand, Thomas W. Furlong, Jr., Kevin Bladow, and Clayton Thygerson, by and through counsel, state as follows:

1. Defendants have not served either an answer or a motion for summary judgment in this matter.
2. Plaintiffs and Defendants have agreed to pursue alternative dispute resolution in this matter.
3. As part of that process, Plaintiffs have agreed to dismiss this matter rather than seeking a stay.
4. Plaintiffs dismiss with prejudice Defendant Malon Wilkus.

5. Plaintiffs dismiss without prejudice Defendants AAMCO Transmissions, Inc., American Capital, Ltd., American Driveline Systems, Inc., American Driveline Centers, Inc., Bret Bero, Marc Graham, Mike Sumsky, Brian O'Donnell, and Todd Leff.

Respectfully submitted this 4th day of April, 2014.

LAW OFFICE OF JONATHAN E. FORTMAN, LLC

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Counsel for Plaintiffs

CERTIFICATE OF SERVICE

On this 4th day of April, 2014, a copy of the foregoing document was directed to the counsel(s) of record via the Court's CM/ECF system

By: /s/Jonathan E. Fortman